

Resolution No. 77-185

UTAH AND OURAY TRIBAL BUSINESS COMMITTEE  
FORT HUCKLEBERRY, Utah

December 1, 1977

WHEREAS, the Bonneville Unit of the Central Utah Project was made possible by virtue of the Ute Indian Tribe deferring the irrigation of a substantial portion of its lands pursuant to the Agreement of September 20, 1965, and

WHEREAS, the Central Utah Project, premised upon the mutual cooperation of the United States, the State of Utah and the Ute Indian Tribe, has been considered by the tribe as being the most feasible and expeditious program for development of tribal waters, since the Agreement of September 20, 1965, and

WHEREAS, the tribe still subscribes to the philosophy of the cooperative effort underlying the Central Utah Project, but in view of the present plans, designs and construction activities in the intervening years, the tribe is disappointed in the failure to adequately advance the tribal interests, and

WHEREAS, the tribe entered into a planning agreement to fully assess tribal benefits accruing from participating in the Central Utah Project in 1973, and

WHEREAS, the tribe has undertaken an indepth review of the Central Utah Project and is desirous of developing as soon as possible its full potential of the tribe's water resources for the common good of its tribal members, and

WHEREAS, the tribe, in order to continue its support of the Central Utah Project, is rightfully entitled to receive immediate positive benefits from the Central Utah Project, and to reach an understanding with the State of Utah, the Central Utah Water Conservancy District and the United States concerning vital environmental and economic aspects of the Central Utah Project, and

WHEREAS, the tribe desires to restate and clarify its official position with regard to the Central Utah Project to serve as a basis for immediate negotiation with all interested parties;

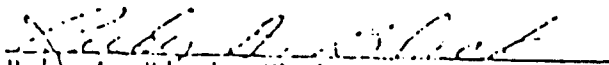
NOW, THEREFORE, BE IT RESOLVED BY THE UTAH AND OURAY TRIBAL BUSINESS COMMITTEE OF THE UTE INDIAN TRIBE that continued tribal support of the Central Utah Project be contingent upon the immediate amicable negotiation of an agreement between the tribe and the United States, the State of Utah and the Central Utah Water Conservancy District which substantially incorporates the following terms:


1. The quantified water rights of the Ute Indian Tribe of the Utah and Ouray Reservation in the total amount of 500,000 acre-feet annually from all water sources as are necessary to fill the entitlement be recognized by the United States and the State of Utah without resort to litigation, and such rights be included by the State Engineer in any water development, studies, filings or proceedings presently pending or instituted in the future and be further affirmed by Act of the State Legislature and the United States Congress.
2. The water so quantified for tribal use shall be used by the tribe for whatever purposes it deems to be in the tribal interest including but not limited to


municipal, industrial, domestic, agricultural, recreational in-stream uses, or lease to third-parties, either on or off reservation lands.

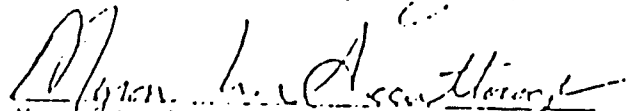
3. Irrigable lands be acquired by the United States for the Ute Indian Tribe in lieu of all those lands deferred from development by the tribe as a part of all present and future Central Utah Project activities, so as to maintain the total irrigable acreage of the tribe at 129,201 acres. Such lands shall be acquired as part of the Bonneville Unit of the Central Utah Project, and shall be acquired prior to the diversion of any waters to the Bonneville Basin.
4. The United States rehabilitate and improve the Uintah Irrigation Project which serves as the major delivery system of agricultural waters for Indian lands to be completed prior to December 31, 1985.
5. Storage space satisfactory to the tribe be provided in the facilities of the Bonneville Unit of the Central Utah Project to allow storage of tribal waters which are a part of the tribe's water entitlement; additional storage facilities be designed and built with tribal consent specifically to develop tribal waters in such additional locations as will prevent unnecessary disruption of the environment and cultural values of the tribe, yet provide the tribe with sufficient storage capacity to develop its entire entitlement.
6. Individual Ute Indians be allowed to hunt, fish and trap on all public lands, and on all fee lands, with the permission of the owner, within the exterior boundaries of the Uintah and Ouray Reservation subject only to the control and regulation of the tribe exercised in such a manner to insure the maintenance of the biological balance of all species of fish and game.
7. Immediate steps be taken to protect the fishery resource by providing adequate minimum stream flows on all rivers affected by the Central Utah Project.
8. The tribe participate in the formulation of the operating criteria for the Central Utah Project and actively participate in the management and operation of all facilities in which tribal water is stored or diverted.

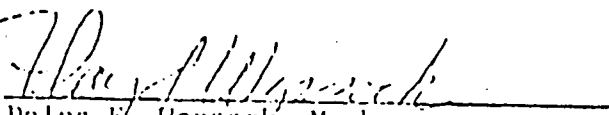
BE IT FURTHER RESOLVED that the tribe commence negotiation with all agencies, bureaus and departments of the United States, the State of Utah and the Central Utah Water Conservancy District to reach a satisfactory agreement incorporating the above-stated objectives.

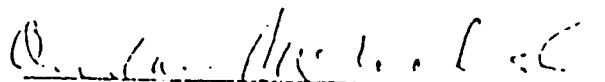
  
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